

Notice of Allowability

Application No.

09/935,413

Examiner

Johnna R. Loftis

Applicant(s)

DIETZ ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to request for continued examination filed 7/9/07.
2. ☒ The allowed claim(s) is/are 1, 3, 4, 7, 8, 10, 11, 14, 15, 17, 18, 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Beth Van Doren
BETH VAN DOREN
PRIMARY EXAMINER
AU 3623

Allowable Subject Matter

1. Claims 1, 3, 4, 7, 8, 10, 11, 14, 15, 17, 18, 21 allowed.
2. The following is an examiner's statement of reasons for allowance: Reasons for allowance are clearly set forth in Applicant's response submitted 7/9/07. The cited prior art, taken alone or in combination, fails to teach the claimed invention set forth in claims 1, 3, 4, 7, 8, 10, 11, 14, 15, 17, 18, 21. More specifically, the invention set forth in the claims is directed to a method, computer program product on a tangible medium and system for evaluating suppliers, wherein survey information regarding requirements is received from evaluators seeking suppliers and survey questions are also responded to by suppliers. Rules are input by the evaluator that define how supplier answers are combined with evaluator requirements, including weights for respective answers. The data elements are compared to evaluator requirements and quantitative correlations are produced. The correlations are then combined wherein one of the correlations is defined as $(10 - (\text{absolute value}(\text{one of the answer data elements} - \text{the answer data element's respective evaluator requirement, or preference data element}))) / 10$. The closest prior art, Aycock et al, US 5,765,138, teaches a supplier evaluation system wherein suppliers are evaluated as proposed vendors for a project. The project requirements are supplied in the form of an interactive supplier self-evaluation. The self-evaluation system is arranged to include objective questions corresponding to maturity requirements. Supplier maturity level is calculated and suppliers are approved based on the maturity level and scored supplier responses. Aycock et al does not teach producing quantitative correlations between answer data elements and respective requirements or preferences and combining the correlations, the correlations are defined as $(10 -$

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(absolute value(one of the answer data elements – the answer data element’s respective evaluator requirement, or preference data element)))/10.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fisher, Charles E. How to manage vendor relationships.

Carbone, James. Evaluation programs determine top suppliers.

Gil, Reynaldo. New trends in business force re-evaluation of supplier relationships.

Hayes, Glenn E. World Class Vendor Quality.

Pettit, Robert E. Vendor Evaluation made Simple.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R. Loftis whose telephone number is 571-272-6736. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JL

9/11/07

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